

Rec'd PCT/PTO 21 MAR 2005

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 626909259 US, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 21, 2005

Signature:

Andrea Silverman
(Andrea Silverman)

Docket No.: BIDM-P01-012
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
John V. Frangioni

Application No.: 10/507253

Filed: September 10, 2004

For: MEDICAL IMAGING SYSTEMS

Confirmation No.: 4710

Art Unit: N/A

Examiner: Not Yet Assigned

March 21, 2005

COMMUNICATION IN RESPONSE TO NOTIFICATION OF
MISSING REQUIREMENTS UNDER 35 U.S.C. 371

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

A Notification of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) was mailed January 24, 2005. A copy of the Notice is attached as Exhibit A. The Notice sets a deadline of two months for filing a response. Therefore, a response is due March 24, 2005. Accordingly, this Communication is being timely filed.

REMARKS

The Notice states that an oath or declaration is missing. In response, Applicants respectfully submit as Exhibit B a suitable Combined Declaration and Power of Attorney.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. BIDM-P01-012.

Dated: March 21, 2005

Respectfully submitted,

By

Spencer H. Schneider
Spencer H. Schneider

Registration No.: 45,923

FISH & NEAVE IP GROUP

ROPES & GRAY LLP

1251 Avenue of the Americas

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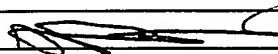
Attorneys/Agents For Applicant

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

<p><i>Effective on 12/08/2004.</i> <i>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</i></p> <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">For FY 2005</h3>		<p>Complete if Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Application Number</td><td>10/507253</td></tr> <tr><td>Filing Date</td><td>September 10, 2004</td></tr> <tr><td>First Named Inventor</td><td>John V. Frangioni</td></tr> <tr><td>Examiner Name</td><td>Not Yet Assigned</td></tr> <tr><td>Art Unit</td><td>N/A</td></tr> <tr><td>Attorney Docket No.</td><td>BIDM-P01-012</td></tr> </table>		Application Number	10/507253	Filing Date	September 10, 2004	First Named Inventor	John V. Frangioni	Examiner Name	Not Yet Assigned	Art Unit	N/A	Attorney Docket No.	BIDM-P01-012
Application Number	10/507253														
Filing Date	September 10, 2004														
First Named Inventor	John V. Frangioni														
Examiner Name	Not Yet Assigned														
Art Unit	N/A														
Attorney Docket No.	BIDM-P01-012														
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27															
TOTAL AMOUNT OF PAYMENT (\$) 0.00															

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: <u>18-1945</u> Deposit Account Name: <u>Ropes & Gray LLP</u>	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee	
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments	

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		<u>Small Entity</u>		<u>Small Entity</u>		<u>Small Entity</u>	
<u>Application Type</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____
							<u>Small Entity</u>
							<u>Fee (\$)</u> <u>Fee (\$)</u>
Each claim over 20 (including Reissues)							50 25
Each independent claim over 3 (including Reissues)							200 100
Multiple dependent claims							360 180
<u>Total Claims</u>		<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>		
41		-41= 0	x	=	<u>Fee (\$)</u> <u>Fee Paid (\$)</u>		
<u>Indep. Claims</u>		<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>			
9		-9= 0	x	=			
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>			
_____	- 100 =	/50	(round up to a whole number) x	=			
4. OTHER FEE(S)							<u>Fees Paid (\$)</u>

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	45,923
Name (Print/Type)	Spencer H. Schneider	Telephone	(212) 596-9451
		Date	March 21, 2005

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Dated: March 21, 2005 Signature: Andrea Silverman (Andrea Silverman)

Ropes & Gray
Intellectual Property Dept.



UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 31 2005

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/507,253

FIRST NAMED APPLICANT

John V Frangioni

ATTY. DOCKET NO.

BIDM-P01-012

INTERNATIONAL APPLICATION NO.

PCT/US03/07596

LA. FILING DATE

PRIORITY DATE

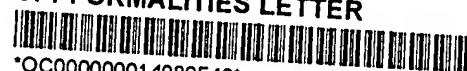
03/11/2003

28120

ROPES & GRAY LLP
ONE INTERNATIONAL PLACE
BOSTON, MA 02110-2624

CONFIRMATION NO. 4710

371 FORMALITIES LETTER



OC000000014989540

Date Mailed: 01/24/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/10/2004
- Copy of the International Search Report filed on 09/10/2004
- Preliminary Amendments filed on 09/10/2004
- Information Disclosure Statements filed on 10/28/2004
- U.S. Basic National Fees filed on 09/10/2004
- Priority Documents filed on 09/10/2004

Ropes & Gray

Symbol #: BIDM-P01-012

Action Due: Respond to ORMP
Oath, Dec

Deadline(s): 24 Feb 2005 / 24 Aug 2005

JFS

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

Scanned K.F.

VONDA M WALLACE

Telephone: (703) 305-3736

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO. 10/507,253	INTERNATIONAL APPLICATION NO. PCT/US03/07596	ATTY. DOCKET NO. BIDM-P01-012
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FORM PCT/DO/EO/905 (371 Formalities Notice)